

Message Text

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42

ACTION L-02

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C O N F I D E N T I A L LONDON 04863

E.O. 11652: GDS
TAGS: ETRD, SZ, US
SUBJECT: ANTITRUST INQUIRY: US VS. CIBA

1. JOEL DAVIDOW (CHIEF, FOREIGN COMMERCE SECTION,
ANTITRUST DIVISION, DEPARTMENT OF JUSTICE) REQUESTS
EMBASSY ADVICE ON FOLLOWING MATTER. PROFESSOR HEINZ
HEINRICH GROSS (SWISS CITIZEN RESIDENT IN BASEL AND
LECTURER AT UNIVERSITY OF STRASBOURG) IS POTENTIAL
WITNESS IN US VS. CIBA, AN ANTITRUST CASE INVOLVING
POSSIBLE FRAUD IN 1958 PATENT PROCESS. HE HAS AGREED
TO MEET DAVIDOW AT 1145 ON APRIL 5 IN BASEL AIRPORT.
IN LIGHT OF RECENT STANLEY ADAMS CASE, DAVIDOW IS CON-
CERNED THAT MEETING MAY PLACE GROSS IN LEGAL JEOPARDY.
FYI: ACCORDING TO DAVIDOW, GROSS FEELS SWISS AUTHORITIES
WILL NOT BE CONCERNED AS BASEL AIRPORT LOCATED IN
FRANCE RATHER THAN ON SWISS TERRITORY. END FYI

2. DAVIDOW WOULD LIKE EMBASSY OPINION ON WHETHER
MEETING SHOULD BE CLEARED WITH SWISS AUTHORITIES. HE
BELIEVES A SIMILAR CASE AROSE ABOUT SIX MONTHS AGO WHICH
WAS CLEARED WITH THE SWISS. IF EMBASSY DOES FEEL IT
SHOULD BE CLEARED, IT SHOULD GO AHEAD AND DO SO AS SOON
AS POSSIBLE. PLEASE ADVISE ASAP.

RICHARDSON

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